

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CHARLES SEWARD, Individually,)
and on Behalf of All Others Similarly)
Situated,)
Plaintiff,) Case No. 08 CIV 3976 (KMK/MDF)
v.) ECF CASE
INTERNATIONAL BUSINESS)
MACHINES D/B/A IBM CORP.)
Defendant.)

PLAINTIFF'S MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, Plaintiff moves the Court for leave to file the attached Amended Complaint. Defendant does not oppose this motion. A proposed order is attached.

Dated: November 18, 2008

Respectfully Submitted,

/s/ Erik H. Langeland
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